Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
	)	
Mass Media Bureau Seeks Comment	)	**MB Docket No. 04-210**
On Over-The-Air Broadcast Television	)	
Viewers	)	
	)	
	)	

Comments of the Information Technology Industry Council

The Information Technology Industry Council (ITI) welcomes the opportunity to provide comments on this matter of great importance to the information technology sector. ITI represents the top U.S. providers of information technology products and services. ITI is the voice of the high tech community, advocating policies that advance industry leadership in technology and innovation, opening access to new and emerging markets, supporting e-commerce expansion, protecting consumer choice, and embracing the global competitiveness of its member companies.

I. INTRODUCTION

ITI supports the proposed plan by the Mass Media Bureau to accelerate the digital television transition and applauds its leadership in putting forth this initiative. It is a much needed effort to give new energy to a transition which, when completed, will provide numerous benefits to consumers, the IT industry, and the economy. Equally important, the proposal sets a date certain by which broadcasters would return their analog channels, thereby providing certainty for consumers, investors, and industry.

Finally, the plan will bring about the long-awaited release of valuable spectrum that will be used for innovative wireless broadband services.

II. ESTABLISHMENT OF DATE CERTAIN

ITI believes the establishment of January 1, 2009, as a date certain for return of analog channels is an essential aspect of the proposal in that it allows for a national transition. One of the most troublesome aspects of the current transition rules is the qualification that if 15% or more of the TV households in a licensee's market would lose service if over-the-air analog signals were turned off, then a licensee's analog license could be extended. Consequently, under the current statutory framework the transition is likely to occur at different times in different markets and lead to numerous inefficiencies.

A date certain allows for a more efficient and structured transition and benefits most everyone associated with the transition including consumers, manufacturers, wireless service providers, public safety officials, and investors. With a definite transition date consumers will know when their analog signals will be terminated and will be able to react accordingly. They will know when they will have to make a choice between purchasing a digital television, a digital-to-analog converter, or subscribing to a multichannel video provider. Manufacturers will be able to refine their production schedules for digital devices since they will know when they will no longer need to produce analog equipment for broadcast reception. Wireless service providers who may need to build business plans based upon significant capital investments will be able to rely on a firm start date for operations. Perhaps most significantly, public safety officials who have been waiting for broadcasters to vacate the 700 MHz band and free 24 MHz of

valuable spectrum for public safety use will be also know when they will be able to begin operations in that band.

In light of all of these expected benefits, ITI would support modifying the plan to provide for an even earlier deadline for return of the analog channels. In either event, ITI believes putting the spectrum to its best use, at the earliest feasible date, should be one of the primary goals of the transition. The Bureau's plan is a strong step in that direction.

III. UTILITY OF SPECTRUM

Clearly the spectrum at issue is some of the most useful spectrum in nature. Independent of its market value, which is substantial, it can produce enormous social and economic benefits. For instance, it will provide an additional 24 MHz for public safety use that will help alleviate spectrum shortages in major metropolitan areas, eliminate overcrowding in other bands and reduce potential interference. In this way homeland security will be enhanced as first responders will have the ability to react more quickly and efficiently to national and local emergencies. As to the economic benefits, the numerous wireless applications that can be provided using this spectrum are likely to lead to considerable economic gains and consumer benefits, particularly by freeing up more spectrum for wireless broadband and thus creating more competition in the broadband service provider industries. This economic growth will be driven by productivity gains as more businesses and industries learn to take advantage of these new services.

Because the propagation characteristics of this spectrum make it ideal for providing rural wireless broadband communications, the 84 MHz which remain will likely be used by advanced wireless providers to provide innovative wireless broadband

services such as WiMAX. WiMAX is a potentially affordable answer to consumers who are unable to receive broadband service from cable or DSL providers either because they live in rural areas or are in developing markets where service providers have yet to deploy wired infrastructure. Multiple vendors are expected to offer equipment that conforms to the global IEEE 802.16d* standard designed to provide wireless broadband access to fixed locations by the end of this year. Standards compliant, portable versions of WiMAX are expected to enter the market in 2005.

With its potential to improve bandwidth and service while also dramatically reducing radio costs, interoperable WiMAX Forum Certified* solutions could enable a third broadband pipe and a true alternative to DSL and cable as a means of access to broadband service. Accordingly, the spectrum that the Bureau's proposal addresses is the key to accelerating broadband deployment rates in the U.S. Freeing the spectrum for use for advanced wireless services also furthers the Administration's call for a national broadband policy and for universal, affordable broadband access by 2007.

The Bureau's plan also benefits the U.S. government. The portions of the 84 MHz that will be auctioned for use by advanced wireless services are likely to have an enhanced value because of the date certain on which it will become available and therefore substantially increase the proceeds of those auctions.

The purpose of the digital transition has not only been to use the spectrum more efficiently, but also to provide consumers with a rich, high-quality, digital television experience. To achieve this objective ITI submits that digital signals should be re-transmitted on cable systems with as little degradation as possible. When cable systems

* Trademarks may be claimed as the property of others.

carry broadcast signals in digital form they should not materially compress or degrade the signal. A successful DTV experience by the consumer is essential to a successful transition that is already fragile and complex. At a minimum, we should assure that when consumers make the investment in a digital television they are satisfied with the experience and do not encounter unexpected frustrations.

IV. CONCLUSION

The importance of a smooth but quick digital transition is obvious. The faster the transition takes place the greater the opportunities will be for new technologies and products. ITI believes the transition represents the true convergence at the hardware level, the coming together of computer, telephone, and broadcast equipment. It also represents an immense opportunity to meet consumer demand for IT and entertainment convergence products. ITI therefore commends the FCC for its renewed efforts on this matter and looks forward to working with the Commission in the future.

Respectfully submitted,

INFORMATION TECHNOLOGY INDUSTRY COUNCIL

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